

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

United States of America,

Civil No. 17-1366 (PAM/KMM)

Plaintiff,

v.

ORDER

Approximately \$1,000,000 in Funds Seized From
Royal Credit Union Business 4 Year Certificate of
Deposit Account Number 4562463697; and
Approximately \$1,000,000 in Funds Seized From
Royal Credit Union Business 4 Year Certificate of
Deposit Account Number 4562463705,

Defendants,

and

Complementary Care and Education Services, Inc.,

Claimant.

This matter is before the Court on the United States' Motion for Default Judgment and Final Order of Forfeiture. Based on that Motion and on all the files and records in this action, the Court finds:

1. The United States filed a Verified Complaint for Forfeiture *In Rem* on April 25, 2017 (Docket No. 1), alleging that the Defendant Funds are subject to forfeiture pursuant to 18 U.S.C. § 981(a)(1)(C) for violations of 18 U.S.C. § 1035;

2. The Clerk of Court issued a Warrant of Arrest and Notice *In Rem* on April 25, 2017, directing the U.S. Marshal to arrest the Defendant Funds and to serve all

persons thought to have a potential interest in the Defendant Funds with a copy of the Complaint for Forfeiture *In Rem*, and the Warrant of Arrest and Notice *In Rem*;

3. The United States sent by certified mail the Notice of Judicial Forfeiture Proceedings, the Verified Complaint for Forfeiture *In Rem*, and the Warrant of Arrest and Notice *In Rem*, to Thomas J. Shiah, counsel for Claimant Complementary Care and Education Services, Inc.;

4. Pursuant to Rule G(4)(a)(iv)(C), the U.S. Attorney's Office posted a notice of forfeiture on an official government internet site (www.forfeiture.gov) for at least 30 consecutive days beginning on April 27, 2017;

5. Claimant Complementary Care and Education Services, Inc., filed a Claim for the Defendant Funds (Docket No. 5);

6. No other verified claim or answer has been filed, and the time for filing a claim and answer has expired under Rule G(5), Supplemental Rules For Admiralty Or Maritime Claims and Asset Forfeiture Actions; and

7. The United States and Claimant Complementary Care and Education Services, Inc. have stipulated to settle Claimant's claim, providing that \$250,000 of the Defendant Funds will be returned to Claimant and \$1,750,000 plus any accumulated interest on the Defendant Funds will be forfeited to the United States (Docket No. 6).

Accordingly, **IT IS HEREBY ORDERED that:**

1. The Stipulation of Settlement (Docket No. 6) is **APPROVED**;
2. The United States' Motion for Default Judgment and Final Order of Forfeiture (Docket No. 11) is **GRANTED**;

3. Default judgment is entered against all unknown persons and entities having an interest in the Defendant Funds for failure to file a verified statement of interest in or right against the Defendant Funds and an answer to the Verified Complaint for Forfeiture *In Rem* as required by 18 U.S.C. § 983(a)(4)(A) and (B), and Rule G(5) of the Supplemental Rules For Admiralty Or Maritime Claims And Asset Forfeiture Actions;

4. The United States shall return \$250,000 of the Defendant Funds to Complementary Care and Education Services, Inc. in accordance with the terms of the parties' Stipulation; and

5. \$1,750,000 of the Defendant Funds plus any accumulated interest on the Defendant Funds is forfeited to the United States pursuant to 18 U.S.C. § 981(a)(1)(C) for disposition in accordance with law.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: June 29, 2017

s/ Paul A. Magnuson

Paul A. Magnuson
United States District Court Judge